

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF:

LORRAINE L. MELCHI  
JERRY L. MELCHI

Debtors

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CASE NO. 06-10071

**DECISION AND ORDER**

At Fort Wayne, Indiana, on February 15, 2006

By the court's order of January 30, 2006, the debtor was directed to file a certification which fully complied with the requirements of § 109(h) and demonstrated eligibility for relief under Title 11. The failure to do so was to result in dismissal without further notice or hearing. On February 13, 2006, the debtor filed a response to the court's order. Unfortunately, this response is not sufficient or "satisfactory to the court." It fails to describe exigent circumstances which necessitated the immediate filing of the bankruptcy petition without waiting for the completion of credit counseling, and it fails to demonstrate that the "the debtor requested credit counseling . . . but was unable to obtain [it]" within five days. 11 U.S.C. § 109(h)(3)(A)(i), (ii).

The debtor has not fulfilled the requirements of § 109(h) and is not eligible for relief under the United States Bankruptcy Code. This case is therefore dismissed without prejudice.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court